

**REMARKS**

Claims 1-22 and 29-36 are currently pending in the application. By this amendment, claims 1, 5, 9, 12, 14, 18 and 22 are amended to overcome the objections to the claims. These amendments are not narrowing amendments, and are not made for reasons of patentability in view of any prior art rejections. Claims 29-36 are added for the Examiners' consideration. Support for the amendment(s) and added claims is provided in at least Figures 2, 4 and 5a-8 and the accompanying description. No new matter is added. Reconsideration of the rejected and objected claims in view of the above amendments and the following remarks is respectfully requested.

***Objection to Claims***

Claims 1-22 are objected to. These objections are partially traversed as discussed below.

***Claim 1***

Claim 1 has been amended to recite that the detection element is brought into proximity to a predetermined location of the terminal portion. This is consistent with the remaining portions of the claim. First, proximity may refer to as being very close (Merriam Webster's Collegiate Dictionary, 10<sup>th</sup> edition). Second, line 3 of claim 1 recites that the lead of the detection element is connected to the terminal portion. This recitation does not require the detection element to be connected to the terminal portion. For these reasons, there is no inconsistency.

*Claim 5*

As to claim 5, the terminal fitting portion is now described as being positioned below the accommodating groove. This is shown in Figure 5a, as well as described at page 23 of the specification.

*Claims 7, 16 and 20*

Claims 7, 16 and 20 recite that the holding portion is used to hold the electric wire in a bundled state. This feature was not previously described in any of the preceding, respective, claims. Also, this features is different than that of the welding feature, and is not meant to describe the weld. The welding permits attachment of the wires to the terminal portion; whereas, the holding portion ensures that the wires stay bundled (which may assist in the welding, if appropriately required).

*Claims 9, 18 and 22*

As to claims 9, 18 and 22, these claims have now been amended to recite that the flat plate has at least a bend. This should clarify the Examiner's concerns.

*Claims 12 and 14*

Claim 12 has been amended to delete "single". Claim 14 has been amended to now recite "outer end". Claims 12 and 14 have proper antecedent basis.

*Claim 10*

Claim 10 was objected to for couching structural limitations in method terminology.

Applicants do not agree with the Examiner's assessment of this claim. Claim 10 recites, in part:

wherein when the holder portion is sealed with the resin, the rod-like projection has one end positioned outside a cavity in a mold and the outer end supporting the holder portion in a floating fashion within the cavity, and

wherein after the holder portion is sealed with the resin, a portion of the one end of the rod-like projection which projects outwardly of the resin sealed portion is removed.

Although it may appear that steps are being performed in these recitations, the structural limitation of these recitations clearly show that a portion of the rod-like projection is no longer provided after the holder is sealed with resin. This is a structural limitation that recites that a portion of the rod-like projection is not provided, and is not meant to provide any method limitations to the claim features.

*Claim 19*

The Examiner is of the opinion that the last clause of claim 19 is unclear. Applicants do not agree with the Examiner, as read in light of the disclosure. The last clause of claim 19 recites:

a rod-like projection projectedly formed on the holder portion, the rod-like portion being adapted to support the holder portion within a cavity in a floating fashion from the outside when the holder portion is sealed with the resin, the rod-like projection

being positioned without projecting from a front surface of the resin sealed portion.

As described in the specification and shown in at least Figures 2 and 5a, the rod-like projection is referred to as reference numeral 12. This rod-like projection supports the holder within the cavity in a floating fashion, as described at pages 24-25 and shown in Figure 2, for example. That is, the rod-like projection 12 is shown to be placed on an underside of the holder portion 40 to provide support thereto within the resin portion 70. The rod-like projection has portions that do not project from a surface of the resin sealed portion as shown in Figure 2. In view of this description, Applicants find this language to be clear and concise, especially in view of the specification and the accompanying figures.

As to the cavity, this is the inner portion of the mold that forms the resin portion 40. This, again, is described clearly at page 24 of the specification and shown in Figure 2. The outside of the cavity may include the outside portion of the resin portion 70. Also, the front surface of the resin sealed portion is a surface which is denoted near reference numeral 12 on Figure 2.

Additionally, Applicants submit that the sensor, in embodiments, is not limited to only the detection unit, but may be associated with an entire assembly. For this reason, the features of claim 12 can be considered the assembly and part of the sensor, itself.

Applicants request withdrawal of the objection.

***35 U.S.C. §112 Rejections***

Claim 14 was rejected under 35 U.S.C. §112, 1<sup>st</sup> paragraph. Claims 14 and 15 were rejected under 35 U.S.C. §112, 2<sup>nd</sup> paragraph. Claim 12 was rejected under 35 U.S.C. §112, 4<sup>th</sup> paragraph. These rejections are respectfully traversed.

*Claim 14*

As to the 112, 1<sup>st</sup> paragraph, rejection of claim 14, the Examiner submits that the flange is not described in the specification. Applicants direct the Examiner's attention to MPEP 2173.05(d) which states, in part:

There is no requirement that the words in the claim much match those in the specification disclosure. Applicants are given a great deal of latitude in how they choose to define their invention so long as the terms and phrases used define the invention with a reasonable degree of clarity and precision.

In the presently claimed invention, the term flange can be inferred to include the projecting portion 13 having a wedge-like cross section formed in a collar-like fashion, as shown in Figure 5a and described at page 20. Thus, although the terminology flange may not be specifically used in the specification, Applicants submit that the requirements of MPEP 2173.05(d) have been satisfied, and that this rejection should be withdrawn.

*Claims 14 and 15*

As to the 112, 2<sup>nd</sup> paragraph rejection of claims 14 and 15, this issue has been addressed in the objection, above.

*Claim 12*

Claim 12 has been amended to define the rod-like projection as a rod. This provides further limiting features to claim 11.

In view of the above remarks, Applicants now request withdrawal of the §112, rejections.

***35 U.S.C. §103 Rejection***

Claims 1-13 and 15-22 were rejected under 35 U.S.C. §103(a) over USPN 6,291,990 to Nakane in view of Applicants' admissions. This rejection is respectfully traversed.

*Claim 1*

The Examiner is of the opinion that Nakane shows a holder portion 6 for holding the detection element and for fitting terminal portions 4a,4b,4c, similar to that of the claimed invention. Applicants submit that the holder 6 of Nakane, though, does not meet the requirements of the holder, set forth in an at least independent claim 1.

By way of example, claim 1 recites, in part,

....a holder portion having a detection element fitting portion  
fitting the detection element therein and a terminal portion fitting  
portion fitting the terminal portion therein;

However, this feature is not shown in Nakane. In Nakane, the holder 6 is a circuit board. The revolution sensor is mounted on the circuit board. This is a conventional way of attaching the revolution sensor. This circuit board, simply, does not include a detection element fitting

portion. In contrast, in the claimed invention, the detection element fits in the detection element fitting portion. This clearly is different than being mounted on a circuit board. Additionally, in the claimed invention, the same holder also includes a portion in which the terminal is fitted therein, e.g., terminal fitting portion. In contrast, Nakano shows a different feature for the holding element of the terminals, different than that of the claimed invention.

Additionally, there is nothing in Applicants' admission that would even remotely compensate for the deficiencies of Nakane. Applicants' admission show a conventional system in which the terminal and leads are connected prior to being mounted into a housing or accommodating unit, which is not the same or similar to that of the claimed invention.

*Claims 10 and 19*

The Examiner is further of the opinion that the mold pin 47 of the Nakane reference is equivalent to that of the rod-like projection recited in the remaining independent claims 10 and 19. By way of example, the Examiner notes that a mold pin 47 is used to hold the resin portion in a mold for injecting the resin. Although the mold pin may be used to hold the resin portion in a mold, this feature does not meet the requirements as recited in claims 10 and 19.

For example, illustrative claim 10 recites, in part,

... a rod-like projection projectedly formed on the holder portion,  
wherein when the holder portion is sealed with the resin,  
the rod-like projection has one end positioned outside a cavity in a  
mold and the outer end supporting the holder portion in a floating  
fashion within the cavity ....

However, Nakano clearly does not show or suggest this feature.

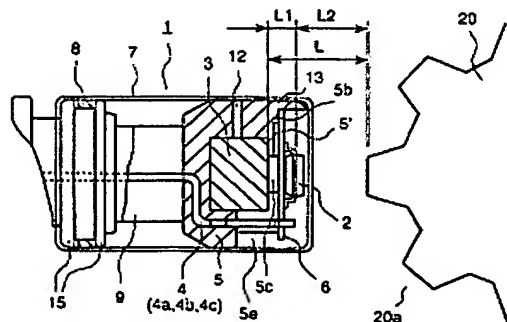
For example, at col. 10, lines 32-41, Nakane describes the mold pin 47, as a pin which is pulled out from the mold and forms a hole 12. There is absolutely no teaching or suggestion that the mold pin 47 is used to float the holder in the cavity of the mold, or that a portion of the mold pin is to be cut off outside of the housing portion.

For example,

In the case of the molding, as shown in FIG. 13, after a lower side of an outer peripheral face of the part of the magnet 3 has mounted on the magnet receiving portion 45, by pressing an upper side of the outer peripheral face of the magnet 3 by a mold pin 47, the magnet 3 is set fixedly to the metal mold 40. As a result, when the resin is flown to the metal mold 40, an occurrence about the position shift of the magnet 3 can be prevented. A reference numeral 12 shown in FIG. 1, FIG. 2 and FIG. 4B etc., is a hole where a mold pin 4[7] has pulled out.

Since the mold pin has been pulled out, there is no indication, whatsoever, the mold pin 47 is used to float the holder. In fact, this would appear to be contrary to the Nakane structure since the mold pin is removed from the mold, and only forms a hole, as shown in Figure 1B, below.

FIG. 1B





Clearly, the pin is no longer in this hole and, as such, the pin will not provide the floating of the holder.

Also, since the pin is pulled out, clearly a portion of the pin will not be removed extending from the mold, as recited in the invention. This feature would be impossible to achieve by Nakane since there is no pin remaining after the mold is complete; instead, the pin is removed entirely to form the hole.

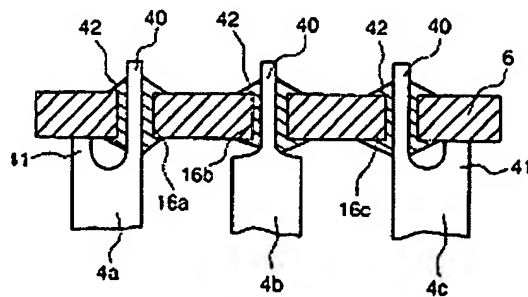
Also, a hole as shown in Figure 1 of Nakane is a trace which is formed by pulling out the pin 47 from a synthetic resin holder 5 after molding the synthetic holder 5 (See, col. 10, lines 32-41.) Therefore the role of the hole 12 of Nakane is different from that of the rod-like projection of the present invention.

Additionally, there is nothing in Applicants' admission that would even remotely compensate for the deficiencies of Nakane. The Applicants' admission shows a conventional system in which the terminal and leads are connected prior to being mounted into a housing or accommodating unit. Also, there is no rod-like projection, nor would there be any requirement for a rod-like projection to be used in this configuration, much less to allow a floating of a holder. This is, partly, because there is no mold.

#### *Dependent Claims*

The Examiner is of the further opinion that Nakane shows a bent portion formed in the terminal portion near the predetermined location, referring to Figure 4D. Although Figure 4D

FIG. 5A



As should be recognized, reference numeral 6 refers to the PC board, and reference numerals 16a-16c are the holes within the PC board. These holes are not grooves, as defined by the claimed invention.

In addition, the PC board does not include a shield plate. This simply is not shown. Instead, the PC board includes the holes 16a-16c, which are separated by portions of the PC board, itself. However, this is not a shield plate (as recited in claim 6), contrary to the Examiner's assertion.

Also, there is nothing in the Applicants' admission that would even remotely compensate for the deficiency of Nakane. The Applicants' admission shows a conventional system in which the terminal and leads are connected prior to being mounted into a housing or accommodating unit.

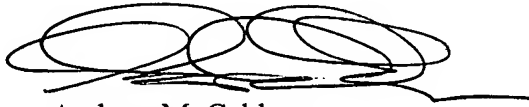
### ***Added Claims***

Applicants add claims 29-36 for the Examiner's consideration. Applicants submit that claims 29-34 are dependent claims, depending (directly or indirectly) from distinguishable claim 1. Claims 35 and 36 are dependent claims, depending (directly or indirectly) from distinguishable claim 10. These newly added claims should thus be allowed. Also, neither Nakane nor Applicants' admission show the features of these claims, such as, for example, the configuration of the partially cutaway cylindrical configuration of the holder.

### CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that all of the claims are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue. The Examiner is invited to contact the undersigned at the telephone number listed below, if needed. Applicants hereby make a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 23-1951.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andrew M. Calderon', with a horizontal line extending to the right.

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